

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

Auto Owners Insurance,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Scott and Gerilyn Erb,	)	
	)	Case No. 4:06-cv-023
Defendants.	)	

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On September 19, 2006, the parties filed a Stipulation to Judgment of No Uninsured Motorist Coverage. Therein, the parties agreed that the plaintiff was entitled to the relief requested in its complaint.

The court **ADOPTS** the parties' stipulation and **ORDERS** that judgment be entered for the plaintiff declaring that (1) the vehicle driven by the tortfeasor was not an uninsured motor vehicle as defined by the North Dakota Century Code and the defendants' insurance policy, and (2) the defendants' motor vehicle coverage does not apply to the incident that took place on August 31, 2003. Each party shall pay its own costs.

Dated this 20<sup>th</sup> day of September, 2006.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge